

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF NORTH CAROLINA

BENJAMIN VIENT,)	
)	
Plaintiff,)	
)	
v.)	1:19CV2
)	
PAXTON MEDIA GROUP,)	
)	
Defendant.)	

ORDER

On January 24, 2022, the United States Magistrate Judge's Recommendation was filed, and notice was served on the parties pursuant to 28 U.S.C. § 636. Plaintiff filed objections. (Doc. 155). Plaintiff has also filed two motions to stay. (Docs. 153, 156.)

The court has reviewed Plaintiff's objections *de novo* and finds that they do not change the substance of the United States Magistrate Judge's Recommendation (Doc. 151), which is AFFIRMED and ADOPTED. In short, Mr. Vient's refusal to comply with multiple orders from this court has severely inhibited the court's "charge to secure the just, speedy, and inexpensive determination of the action." United States v. Merrill, 258 F.R.D. 302, 310 (E.D.N.C. 2009). Mr. Vient's refusals include his failure to comply with court orders directing payment of expenses (Text Orders dated Jan. 28, 2021) and ordering Vient to show cause why the court should not impose sanctions (Text Order dated Apr. 26, 2021; Text Order

dated May 23, 2021). As the Magistrate Judge noted, Mr. Vient has "abused the process at a level that was utterly inconsistent with the orderly administration of justice [and] undermined the integrity of the process." Rangarajan v. Johns Hopkins Univ., 917 F.3d 218, 226 (4th Cir. 2019) (internal quotations and citations omitted). The Magistrate Judge has demonstrated extraordinary patience with Mr. Vient. Unfortunately, Mr. Vient persisted in abusing the process and ignoring his obligations under the applicable rules and this court's orders.

IT IS THEREFORE ORDERED that the Defendant's motion for contempt (Doc. 130) is GRANTED IN PART, such that Plaintiff Vient's claims are DISMISSED WITH PREJUDICE, and DENIED IN PART as to the remaining requests for relief.

IT IS FURTHER ORDERED that the Defendant's motion for summary judgment (Doc. 125) is DENIED AS MOOT.

IT IS FURTHER ORDERED that Plaintiff's motions to stay (Docs. 153, 156) are DENIED AS MOOT.

IT IS FURTHER ORDERED that Defendants are entitled to recover of Plaintiff Vient **\$16,132.50**, as previously ordered by the court. (See Text Orders dated Jan. 28, 2021, for \$4,335 and \$5,932.50; Text Order dated Feb. 17, 2021, for \$2,730; Text Order dated Apr. 23, 2021 for \$3,135.)

/s/ Thomas D. Schroeder
United States District Judge

March 29, 2022